

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

LICCARDI FORD, INC., et al.,	:	CIVIL ACTION NO. 05-3581 (MLC)
	:	
Plaintiffs,	:	<b>O R D E R</b>
	:	
v.	:	
	:	
FIDELITY WARRANTY SERVICES,	:	
INC., et al.,	:	
	:	
Defendants.	:	
_____	:	

For the reasons stated in the Court's memorandum opinion, **IT IS** on this 12th day of October, 2005, **ORDERED** that the Court's order to show cause why the action should not be remanded to New Jersey Superior Court, Somerset County, for lack of jurisdiction under 28 U.S.C. § 1332 (dkt. entry no. 3) is **VACATED**; and

**IT IS FURTHER ORDERED** that the motion to either (1) dismiss the complaint insofar as asserted against the defendants Fidelity Warranty Services, Inc., and Jim Moran & Associates, Inc., under Federal Rule of Civil Procedure 12(b)(6), or (2) transfer the action under 28 U.S.C. § 1404(a) (dkt. entry no. 7) is **GRANTED IN PART** and **DENIED IN PART** as follows:

**GRANTED TO THE EXTENT** that the motion seeks to transfer the action, and

**DENIED TO THE EXTENT** that the motion seeks dismissal of the complaint insofar as asserted against the defendants Fidelity Warranty Services, Inc., and Jim Moran & Associates, Inc.; and

**IT IS FURTHER ORDERED** that the action be **TRANSFERRED** to the United States District Court for the Southern District of Florida pursuant to 28 U.S.C. § 1404(a); and

**IT IS FURTHER ORDERED** that the Clerk of the Court designate the action as **CLOSED**.

\_\_\_\_\_  
s/ Mary L. Cooper  
**MARY L. COOPER**  
United States District Judge